

## ORDINANCE NO. 98-18-CM

### AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE COUNTY OF TIPPECANOE, INDIANA, TO REZONE CERTAIN REAL ESTATE FROM GB TO I1

**Section 1.** The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and not part of a unified county code, is hereby amended to rezone the following described real estate situated in Fairfield Township, Tippecanoe County, Indiana, to-wit:

#### DESCRIPTION OF PROPERTY TO BE REZONED

##### KYGER BAKERY PROPERTY SR 38 EAST, LAFAYETTE, INDIANA

##### DESCRIPTION (D.B. 287, P. 544)

A part of the Southwest Quarter of Section thirty-five (35) in Township twenty-three (23) North, Range four (4) West, described as follows:

Beginning at an iron pipe on the South right of way line of Indiana State Highway #38, said point of beginning being one hundred twenty-two (122) feet North and twelve hundred two and seventy-three hundredths (120,73 sic) feet North 57 degrees West of the Southeast corner of said Southwest Quarter of Section thirty-five (35) aforesaid; thence Southwesterly on a bearing of South 33 degrees West a distance of one hundred eighty-three and four tenths (183.4) feet to an iron pipe; thence North 57 degrees West a distance of one hundred thirty-four feet to an iron pipe; thence North 18 degrees East a distance of one hundred eight-eight and five tenths (188.5) feet to an iron pipe on the South right of way of State Highway #38; thence South 57 degrees East on said right of way line a distance of one hundred eighty-two (182) feet to the place of beginning containing 0.66 acre, more or less.

Located in Fairfield Township, Tippecanoe County, Indiana;

ALSO (D.R.MF79-4055)

Part of the Southwest Quarter of Section 35, Township 23 North, Range r West, Fairfield Township, Tippecanoe County, Indiana, described as follows:

Commencing at the southeastern corner of the Southwest Quarter of said Section 35; thence North 90°00'00" West along the southern line of the Southwest Quarter of said Section Thirty-five, 1109.74 feet; thence North 25°04'30" West, 388.05 feet, thence South 67°22'45" West, 1.21 feet; thence North 25°07'45" West, 187.81 feet to the **POINT OF BEGINNING** of this description; thence North 38°37'30" East, 209.34 feet; thence South 57°27'30" East, 134.00 feet; thence South 69°18'30" West, 259.92 feet to the point of beginning containing 0.32 of an acre more or less.

ALSO (D.R.94-13797):

A part of the Southwest Quarter of Section 35, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana, described as follows:

Commencing at the Southeast corner of the Southwest Quarter of said Section 35; thence North 00°00'00" West, along the Eastern line of the Southwest Quarter of said Section Thirty-five, 156.53 feet, more or less, to the approximate centerline of State Road 38, thence North 57°27'30" West along the said approximate centerline of State Road Thirty-eight, 1,372.68 feet to the Northwestern line of the James A. and Beverly Kyger real estate, extended (Deed Book 287, Page 544); thence South 17°52'25" West, along the said northwestern line of said

Kyger real estate, extended, 54.01 to the POINT OF BEGINNING of this description, said point being on the Southwestern right-of-way line of State Road 38 (Document Number 92-02792); thence South 17°52'25" West, along the Northwestern line of said Kyger real estate, extended, 166.57 feet, to the southwestern corner of said Kyger real estate, said point also being the Northwestern corner of the Torchwood Homeowners Association real estate (Deed Record 79, Page 4055); thence South 38°27'30" West, along the Northwestern line of said Torchwood real estate, 209.34 feet to the Northeastern line of the Harold and Ruth Boesch real estate (Document Number 92-00254); thence North 25°07'45" West, along the Northeastern line of said Boesch real estate, 156.97 feet to the Southeastern line of the John D. and Jane L. Canarsky real estate (Deed Record 81, Page 105), said point being on the approximate centerline of the Wilson Branch of the Elliott Ditch; thence, along the Southeastern line of said Canarsky real estate and the approximate centerline of the Wilson Branch of the Elliott Ditch, 109.18 feet; thence North 01°10'39" East, along the Eastern line of the Canarsky real estate and the Eastern line of G.T. Development, Inc., real estate (Document Number 94-10019) and the approximate centerline of the Wilson Branch of the Elliott Ditch, 121.44 feet to the Southwestern right-of-way line of State Road 38 (Document Number 92-02792); thence, traversing said State Road 38 right-of-way line, the following four (4) courses: (1) South 80°46'33" East, 36.82 feet; (2) North 00°52'50" East, 58.31 feet; (3) South 66°17'09" East, 70.71 feet; (4) South 58°09'21" East, 75.05 feet to the point of beginning, containing 1.05 acres, more or less.

**Section 2.** The real estate described above should be and the same is hereby rezoned from GB to I1.

**Section 3.** This ordinance shall be in full force and effect from immediately upon its passage.

Adopted and passed by the Board of Commissioners of Tippecanoe County, Indiana, this 4<sup>th</sup> day of May, 1998.

**VOTE:**

BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE

YES

\_\_\_\_\_  
John L. Knochel, President

YES

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Ruth E. Shedd, Vice President

NO

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Kathleen Hudson, Member

**ATTEST:**

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Betty J. Michael, Auditor